

REMARKS

Claims 1-11, 20, 29, 30, and 33-47 were pending and presented for examination in this application. In a Final Office Action dated April 6, 2006, claims 1-11, 20, 29, 30, and 33-47 were rejected. Applicants thank Examiner for examination of the claims pending in this application and address Examiner's comments below. In addition, Applicants also thank Examiner for taking time to discuss claims 1, 4, 7, 9, 20, 29, 30, 33, and 44 of the pending application with Applicants' representative in the Examiner Interview of May 24, 2006.

The amendments and remarks presented herein are in response to the Final Office Action dated April 6, 2006.

Response to Rejection Under 35 USC 102(b) in View of Nguyen

In the Final Office Action, Examiner rejects claims 33, 34, 36, 44, 45, and 47 under 35 USC § 102(b) as allegedly being anticipated by U.S. Patent No. 5,797,089 ("Nguyen"). During the Examiner Interview, attorneys explained the distinctions between the independent claims 33 and 44 as filed and Nguyen, and argued that the distinctions would overcome the § 102 rejection. Applicants briefly discuss herein some differences between the claims and the cited art.

Claim 33 as filed recites:

A method for operating a personal electronic device, the personal electronic device including a lid, a power button, a processor, a memory, and a plurality of applications stored in the memory, the method comprising:
responsive to the lid being opened, when the device is off,
activating the device and executing by the processor a first

user-selectable application stored in the memory of the personal electronic device; and

responsive to activation of the power button, when the device is off, activating the device and executing by the processor a second user-selectable application stored in the memory of the personal electronic device. (Emphasis added)

Thus, claim 33 as filed recites two method steps, each of which is performed responsive to a different user action. The first method step takes place in response to the lid being opened when the device is off. Responsive to this action taking place, the device is activated and a first application is executed. The second method step takes place in response to the power button being activated when the device is off. Responsive to this action taking place, the device is activated and a second application is executed. Thus, when the device is off, a user can choose to activate it and execute the first application by opening the lid, or to activate it and execute the second application by activating the power button. Claim 44 recites two similar method steps, each of which is performed responsive to a different user action.

Nguyen does not disclose activating the device and executing by the processor a first user-selectable application responsive to the lid being opened. Nguyen discloses a device including two parts hingedly connected together. The device includes a PDA unit and a telephone unit, each can be turned on or off by the user. When the two parts of the device are opened, the device determines whether the two units are already turned on, and enables functions related to the unit that is turned on. Thus, Nguyen discloses *enabling* certain function but does not disclose *executing* such function in response to opening the two parts. See Nguyen, col. 7, lines 12-21.

Therefore, Nguyen fails to teach the claimed feature of "responsive to the lid being opened, when the device is off, activating the device and executing by the processor a first user-selectable application stored in the memory of the personal electronic device." Furthermore, in Nguyen there is no hint or suggestion of activating the device and executing a second application responsive to activation of the power button. Thus, Nguyen fails to disclose either of the two claimed method steps.

Therefore, for at least these reasons, claim 33 is patentably distinguishable over Nguyen. Likewise, claim 44 is distinguishable over Nguyen for the same reasons.

Therefore, Applicants respectfully request that the rejection be withdrawn.

As to dependent claims 34, 36, and 45, because claims 34 and 36 are dependent on claim 33, and claim 45 is dependent on claim 44, all arguments advanced above with respect to claims 33 and 44 are applicable to claims 34, 36, and 45. Thus, for at least the reasons presented above, claims 34, 36, and 45 are respectfully submitted to be patentable over the cited reference. Accordingly, it is requested that the rejection of these claims be withdrawn.

As to dependent claim 47, because claim 47 is dependent on claim 4, which recites method steps similar to those of claim 33, all arguments advanced above with respect to claim 33 are applicable to claim 47. Thus, for at least the reasons presented above, claim 47 is respectfully submitted to be patentable over the cited reference. Accordingly, it is requested that the rejection of claim 47 be withdrawn.

Response to Rejection Under 35 USC 103 in View of Nguyen, Boesen, and

Takahashi

In the Final Office Action, Examiner rejects claims 1, 2, 7-11, 20, and 29, 30, 35, 37-43, and 46 under 35 USC § 103(a) as allegedly being unpatentable over Nguyen in view of U.S. Patent Application Publication 2001/0027121 A1 (“Boesen”). During the Examiner Interview, attorneys explained the distinctions between the independent claims 1, 7, 9, 20, 29, and 30 as filed and Nguyen and Boesen, and argued that the distinctions would overcome the § 103 rejection. Applicants briefly discuss herein some differences between the claims and the cited references.

Claim 1 as filed recites:

A method for operating a personal digital assistant (PDA), the PDA including a lid, a power button that activates the PDA, a processor, a memory, and a plurality of applications stored in the memory, the method comprising:

responsive to the lid being opened, activating the PDA and executing by the processor a first application stored in the memory of the PDA; and

responsive to activation of the PDA power button when the lid is closed, activating the PDA and executing by the processor a second application stored in the memory of the PDA.

Thus, claim 1 as filed recites two method steps, each of which is performed responsive to a different user action. Claim 29 recites a personal digital assistant that is configured to perform the method steps recited in claim 1. Claim 30 recites a computer program product stored on a computer readable medium that is configured to perform the method steps recited in claim 1. Claim 7 recites two method steps similar to those of claim 1.

As discussed above with regard to claim 33, Nguyen fails to disclose activating the device and executing a first application responding to the lid being opened, nor does Nguyen disclose activating the device and executing a second application by activating the power button.

Boesen similarly fails to disclose the two method steps recited in claim 1. Boesen discloses a personal electronic device with keypad and additional functional keys. See Boesen, col. 2, paragraph 0043. Boesen does not disclose activating the personal electronic device and executing a first application responsive to a lid being opened. Examiner cited Figs. 6 and 9 and paragraph [0043] lines 4-11 and paragraph [0052] of Boesen. The cited figures and sections only show that the device has some functional keys accessible when the lid is closed. This is different from the claimed feature of activating the device and executing a second application responsive to activation of a power button when the lid is closed. Thus, whether taken alone or in combination, Nguyen and Boesen fail to disclose the claimed invention as recited in claim 1 for at least the above reasons. Likewise, claims 7, 29, and 30 are patentably distinguishable over Nguyen and Boesen. Therefore, Applicants respectfully request that the rejection be withdrawn.

As to dependent claims 2, 8, and 37-43, because claims 2 and 37-43 are dependent on claim 1, and claim 8 is dependent on claim 7, all arguments advanced above with respect to claim 1 are applicable to claims 2, 8, and 37-43. Thus, for at least the reasons presented above, claims 2, 8, and 37-43 are respectfully submitted to

be patentable over the cited references. Accordingly, it is requested that the rejection to these claims be withdrawn.

As to dependent claim 35, because claim 35 is dependent on claim 33, which recites method steps similar to those of claim 1, all arguments advanced above with respect to claim 1 are applicable to claim 35. Thus, for at least the reasons presented above, claim 35 is respectfully submitted to be patentable over the cited references.

Accordingly, it is requested that the rejection to claim 35 be withdrawn.

As to dependent claim 46, because claim 46 is dependent on claim 4, which recites method steps similar to those of claim 1, all arguments advanced above with respect to claim 1 are applicable to claim 46. Thus, for at least the reasons presented above, claim 46 is respectfully submitted to be patentable over the cited references.

Accordingly, it is requested that the basis for the rejection to claim 46 be withdrawn.

Claim 9 as filed recites:

A method for operating a personal digital assistant (PDA), the PDA including a lid, a processor, a memory, and a plurality of applications stored in the memory, the plurality of applications stored in the memory including an alarm application, the method comprising:

responsive to the lid being opened, activating the device and executing by the processor a first application stored in the memory of the PDA; and

responsive to a signal from the alarm application, activating the device and executing by the processor the alarm application.

Claim 9 recites a method step that activates the PDA and executes a first application responsive to the lid being opened. As discussed above with regard to

claim 1, Nguyen and Boesen, taken alone or in combination, fail to disclose this claimed feature. Therefore, for at least this reason, claim 9 is patentably distinguishable over Nguyen and Boesen. Thus, Applicants respectfully request that the rejection of claim 9 be withdrawn.

As to dependent claims 10 and 11, because claims 10 and 11 are dependent on claim 9, all arguments advanced above with respect to claim 9 are applicable to claims 10 and 11. Thus, for at least the reasons presented above, claims 10 and 11 are respectfully submitted to be patentable over the cited references. Accordingly, it is requested that the rejection of these claims be withdrawn.

Claim 20 as filed recites:

A method for operating a personal digital assistant (PDA), the PDA including a lid, a wireless communication module, a processor, a memory, and a plurality of applications stored in the memory, the method comprising:

determining that the lid has been opened;
responsive to the lid having been opened:
turning on the PDA; and
automatically launching a phone application.

Claim 20 recites a method for operating a PDA. The method determines that the lid of the PDA has been opened and consequently turns on the PDA and launches a phone application responsive to the lid being opened. As discussed above with regard to claim 1, Nguyen and Boesen, taken alone or in combination, fail to disclose the claimed feature of turning on the PDA and launching a phone application responsive to the lid being opened. Therefore, for at least these reason,

claim 20 is patentably distinguishable over Nguyen and Boesen. Thus, Applicants respectfully request that the rejection of claim 20 be withdrawn.

In the Final Office Action, Examiner rejects claims 3-6 under 35 USC § 103(a) as allegedly being unpatentable over Nguyen in view of Boesen and U.S. Patent No. 6,662,244 ("Takahashi"). During the Examiner Interview, attorneys explained the distinctions between the independent claim 4 as filed and Nguyen, Boesen, and Takahashi, and argued that the distinctions would overcome the § 103(a) rejection. Applicants briefly discuss herein some differences between the claims and the cited references.

Claim 4 as filed recites:

A method for operating a personal digital assistant (PDA), the PDA including a lid, a jog rocker, a processor, a memory, and a plurality of applications stored in the memory, the method comprising:

responsive to the lid being opened, activating the device and executing by the processor a first application stored in the memory of the PDA; and

responsive to activation of the jog rocker, activating the device and executing by the processor a second application stored in the memory of the PDA.

Claim 4 recites two method steps, one of which activates the PDA and executes a first application responsive to the lid being opened. As discussed above with regard to claim 1, Nguyen and Boesen, taken alone or in combination, fail to disclose this claimed feature.

Takahashi also fails to disclose the claimed method steps. Takahashi merely discloses an information terminal comprising a first part having a display section and

a second part having an input/display section. The two parts are hingedly connected together. Takahashi does not disclose activating the device and executing a first application responsive to the lid being opened. Examiner cited Col. 3, lines 27-30, Col. 6, lines 1-3, Col. 7, lines 8-28, and Fig. 3 of Takahashi. However, the cited figures and sections only show that the information terminal includes a jog dial that a user can rotate and depress to control the information terminal. This is different from the claimed feature of activating the device and executing a second application responsive to activation of the jog rocker. Thus, whether alone or in combination, Nguyen, Boesen, and Takahashi fail to disclose the claimed invention as recited in claim 4 for at least the above reasons. Therefore, Applicants respectfully request that the rejection of claim 4 be withdrawn.

As to dependent claims 5 and 6, because claims 5 and 6 are dependent on claim 4, all arguments advanced above with respect to claim 4 are applicable to claims 5 and 6. Thus, for at least the reasons presented above, claims 5 and 6 are respectfully submitted to be patentable over the cited references. Accordingly, it is requested that the rejection of these claims be withdrawn.

As to dependent claim 3, because claim 3 is dependent on claim 1, it incorporates the two method steps recited in claim 1, one of which activates the PDA and executes a first application responsive to the lid being opened. As discussed above with regard to claim 4, alone or in combination, Nguyen, Boesen, and Takahashi fail to disclose this claimed feature. Therefore, for at least this reason, claim 3 is

respectfully submitted to be patentable over the cited references. Accordingly, it is requested that the rejection of claim 3 be withdrawn.

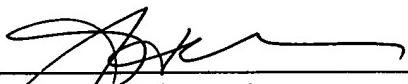
Conclusion

On the basis of the above amendments, consideration of this application and the early allowance of all claims herein are requested.

Should the Examiner wish to discuss the above amendments and remarks, or if the Examiner believes that for any reason direct contact with Applicants' representative would help to advance the prosecution of this case to finality, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,
Jeffrey C. Hawkins, Thomas B.
Bridgwater, Robert Y. Haitani
and William B. Rees

Dated: Jun 6/06

By: 
Amir H. Kaubvogel
Reg. No. 37,070
Fenwick & West LLP
801 California Street
Mountain View, CA 94041
Phone: (650) 335-7276
Fax: (650) 938-5200